

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Currently, claims 32-53, including independent claims 32, 42, and 51-53 are pending in the present application. Independent claim 32, for instance, is directed to a method of incorporating a liquid-based composition into a tissue product having a basis weight less than about 120 grams per square meter. The method comprises forming a web from a papermaking furnish that contains cellulosic fibers. Foam formed from the liquid-based composition is applied to the web while at a solids consistency of less than about 95% by weight of the web. The foam is drawn towards the web with a vacuum slot.

In the Office Action, the Examiner indicated that dependent claims 4-5, 15-16, and 26-27 would be allowable if rewritten in independent form. Accordingly, claims 4, 15, and 26 have been rewritten as independent claims 51-53, respectively. Thus, Applicant respectfully submits that such claims are allowable.

Original independent claims 1, 12, and 23, however, were rejected in the Office Action under 35 U.S.C. §102(b) in view of U.S. Patent No. 4,184,914 to Jenkins, et al. Jenkins, et al. is directed to the use of foam to manufacture sized paper. A protein foaming agent is used to form the foam. However, contrary to present independent claims 32 and 42, Jenkins, et al. fails to disclose drawing foam towards the web with a vacuum slot. Thus, at least for the reasons set forth above, Applicant respectfully submits that independent claims 32 and 42 patentably define over Jenkins, et al.

Nevertheless, in the Office Action, U.S. Patent No. 4,912,948 to Brown, et al. was cited in conjunction with Jenkins, et al. in an attempt to render obvious original dependent claims 6, 16, and 28, which were related to drawing the foam towards the web with a vacuum slot. Brown, et al. describes an apparatus and process for treating a moveable flexible sheet material with a foam. A variety of flexible sheet materials are described, including porous paper, such as tissue, filtration grade paper, and the like. (Col 7, lines 39-61). The liquid treating compositions applied to the flexible sheet materials consist essentially of a substrate treating agent and a liquid vehicle.

As shown in Fig. 1 of Brown, et al., a fluid applicator A₁ applies the foam to a flexible sheet material P₁. A vacuum guide C₁ is provided adjacent to the fluid applicator A₁ for holding the flexible sheet material P₁. (Col 4, ll. 11-28). The purpose of the vacuum guide is to align the flexible sheet with the foam applicator by pulling the sheet against its surface. (Col 3, ll. 27-32). Consequently, through the use of such a vacuum guide, the critical feature of short-dwell treating applications is achieved. Namely, intimate contact between the flexible sheet and the orifice of the fluid applicator is achieved to enable uniform deposition of the treating composition without spillage. (Col 2, ll. 42-48).

Contrary to independent claims 32 and 42, however, the vacuum guide of Brown, et al. does not "draw foam towards the web." As indicated in the present application, foam bubbles typically remain under pressure until applied to a web, and thus, may be blown onto the web by a foam applicator. As shown in Fig. 3, for example, a vacuum slot 70 may draw these foam bubbles towards the web 15, thereby facilitating the application of the foam onto or into the web 15. On the other hand, the positioning and

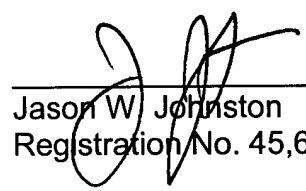
configuration of the vacuum guide of Brown, et al. only allows it to pull the flexible sheet onto foam applicator. Thus, for at least these reasons, Applicant respectfully submits that independent claims 32 and 42 patentably define over Jenkins and Brown, et al., taken singularly or in any proper combination.

In summary, Applicant respectfully submits that the present claims patentably define over all of the prior art of record for at least the reasons set forth above. As such, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Halpern is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

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